

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**FRANKLIN McMILLION**

**Plaintiff,**

**v.**

**ALABAMA DEPARTMENT OF  
REVENUE, et al.**

**Defendant.**

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**Civil Action No.: 2: 07cv563-MHT**

**NOTICE OF DISMISSAL**

COMES NOW, Plaintiff Franklin McMillion, and dismisses his claims in the above-styled cause without prejudice pursuant to FRCP 41(a)(1)(i), as he no longer wishes to pursue this action and the defendants have not yet filed an answer or a motion for summary judgment.

Respectfully submitted,

/s/ Rocco Calamusa, Jr.

Rocco Calamusa, Jr.  
Russell W. Adams  
Counsel for Plaintiff

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing Notice of Dismissal on counsel via e-mail, addressed, to the following:

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This 1<sup>st</sup> day of November, 2007.

/s/ Rocco Calamusa, Jr. \_\_\_\_\_  
OF COUNSEL